

Senate Study Bill 3110

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
EDUCATION BILL BY
CO=CHAIRPERSON CONNOLLY)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act authorizing unpaid leave for employees attending school
2 functions and providing a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 6421XK 81
5 ec/je/5

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1 1 Section 1. NEW SECTION. 91F.1 DEFINITIONS.
1 2 As used in this chapter, unless the context otherwise
1 3 requires:
1 4 1. "Child" means a biological, adopted, or foster child, a
1 5 stepchild, a legal ward, or a child of a person standing in
1 6 loco parentis who is under eighteen years of age or is
1 7 eighteen years of age or older and incapable of self-care
1 8 because of a mental or physical disability.
1 9 2. "Eligible employee" means an employee as defined in
1 10 section 91A.2 who has been employed for at least twelve months
1 11 by the employer with respect to whom leave is requested and
1 12 for at least one thousand two hundred fifty hours of service
1 13 with such employer during the previous twelve-month period.
1 14 3. "Employer" means a person, as defined in section 4.1,
1 15 who in this state employs for wages, paid on an hourly basis,
1 16 fifty or more natural persons.
1 17 4. "School function" includes a parent-teacher conference,
1 18 school program, or other volunteer activity at a school at
1 19 which the parent has a child attending.
1 20 Sec. 2. NEW SECTION. 91F.2 SCHOOL FUNCTION LEAVE
1 21 AUTHORIZED.
1 22 An eligible employee shall be entitled to a total of
1 23 eighteen hours of leave during any twelve-month period for the
1 24 purpose of attending school functions involving the eligible
1 25 employee's child.
1 26 Sec. 3. NEW SECTION. 91F.3 LEAVE REQUIREMENTS.
1 27 1. An employer shall not be required to pay an eligible
1 28 employee for any leave taken pursuant to section 91F.2.
1 29 However, an eligible employee taking a leave permitted by this
1 30 chapter may elect to substitute for leave allowed under this
1 31 chapter any of the employee's accrued vacation leave or other
1 32 accrued time off during such period or any other paid or
1 33 unpaid time off negotiated with the employer.
1 34 2. The employee shall provide the employer with reasonable
1 35 advance notice of the need for the school function leave.
2 1 Sec. 4. NEW SECTION. 91F.4 PENALTIES == ENFORCEMENT.
2 2 An employer shall not refuse to hire, discharge, penalize,
2 3 suspend, expel, or discriminate against any individual for
2 4 exercising the individual's rights to take leave pursuant to
2 5 this chapter. Any action taken by an employer in violation of
2 6 this section shall be deemed an unfair employment practice
2 7 under section 216.6 and the employer is subject to all
2 8 applicable penalties and remedies for an unfair employment
2 9 practice pursuant to chapter 216.
2 10 EXPLANATION
2 11 This bill provides that certain eligible employees shall be
2 12 entitled to take leave, including unpaid leave, for up to 18
2 13 hours in a 12-month period for the purpose of attending school
2 14 functions involving the employee's child. The bill provides
2 15 definitions for "eligible employee", "employer", "school
2 16 function", and "child". An "eligible employee" is defined as

2 17 a person employed for at least 12 months by the employer and
2 18 who had at least 1,250 hours of service with the employer in
2 19 the last 12 months. An "employer" is defined as a person who
2 20 employs, for hourly wages, fifty or more natural persons.
2 21 "School function" is defined to include parent=teacher
2 22 conferences, school programs, and other volunteer activities
2 23 at the school. The bill provides for how the leave will be
2 24 taken, whether paid or unpaid, and that an eligible employee
2 25 is required to provide reasonable advance notice that the
2 26 leave may be taken. The bill provides that any action by an
2 27 employer in violation of the bill is an unfair employment
2 28 practice under the civil rights Act and the employer is
2 29 subject to all applicable penalties and remedies under that
2 30 Act.
2 31 LSB 6421XK 81
2 32 ec:rj/je/5